

Attachment #12

April 20, 2015

Jen Daugherty Senior Planner
Mammoth Lakes Planning and Economic Development Commission
P.O. Box 1609
Mammoth Lakes, CA 93546
Re: Mountainside Development Public Hearing
April 29, 2015

Dear Planning Commission and Interested Parties:

We are Paul Franceschi and Allison Amon, and we would like to take this opportunity to voice our concerns about the proposed Mountainside Development. We regret that we have other commitments and cannot attend this meeting in person to voice these concerns. We are hoping that this letter will suffice to convey our concerns with the proposed development.

We are the owners of units 32 and 10 at Courchevel complex. We use 32 as our primary residence and unit 10 as rental income. We have been coming to Mammoth Lakes for the past 20 years, and Mammoth has been our family's primary winter residence for the past 3 years. Paul is a structural engineer, from a family of developers, and has more than 35 years of experience in the construction industry. He has worked in Wisconsin, New York City and has been based in Los Angeles for the past 20 years.

We have several concerns about the proposed Mountainside Project. The property is located on a prominent corner lot in a developed and densely utilized area near Canyon Lodge. It is the last large open lot in this area. During ski season there is high demand for parking on Rainbow Lane, and there is often heavy pedestrian and vehicle traffic on Rainbow Lane and Lakeview. We believe these are mitigating circumstances that need to be fully considered in the discussion of the project design and request for variances.

The following is a summary of our issues with the project. We do not believe that these issues have been adequately addressed in the developer's submittal package.

1. Height Variance

The tallest buildings are proposed along Rainbow Lane and essentially create a walled facade along the street. There is nothing like that on Rainbow Lane presently on either side of the street. We do not think the building heights at Snowbird or 1849 are comparable to this project.

Both those developments do not compromise their neighbors view and do not provide a precedent for Mountainside. The roof pitch at Snowbird is completely different than Mountainside. The Snowbird design provides a variety of roof profiles that break up the height, and has design features that break the vertical wall plane. There are gable end walls and pitching roof lines. Snowbird also has a much shorter elevation along Rainbow Lane than Mountainside. 1849 also has facade features that break up the height and verticality of wall planes. It is also situated in a different area and doesn't impact its neighbors in the way that Mountainside could.

The tallest Mountainside buildings are 6 of the 7 proposed buildings on Rainbow Lane where developer is also asking for reduced setback. These will appear as large hulking shapes on the street, and there is nothing like this on either side of Rainbow Lane.

Paul Franceschi • Allison Amon

The developer's submittal package should include studies to show these buildings will not block sunlight and views for neighboring Courchevel units and will not cast a permanent shadow along Rainbow Lane. A comparison should be done to show what the impacts are if project is built to code required height and setback versus development with variances.

2. Setback Variance

The shift to Rainbow and reduction in setback is to minimize retaining wall height at south (against hill / 1849 side). In doing so, buildings shift closer to the street and also reduce onsite areas for materials storage, staging, employee parking, etc. These issues should be huge considerations in this project. We do not want contractor blocking Rainbow or using Rainbow for worker parking or in any way compromising visitor parking / experience at Canyon. This is already a very congested area. Construction schedule and impacts needs to be a consideration in this variance review.

In addition, the developer's submittal package does not include any comparison of impact of slope on property for building built to code setback versus proposed variance. The building sections provided do not seem to account for code required level yard setback at slope side of buildings (CBC1808.7.1 – please refer to attached). Sections do not seem to show correct slope, retaining walls required, or impact on grading.

3. Construction Impacts and Schedule

We are concerned about construction schedule. Excavations, foundations, framing, etc, will have a huge impact on our condos, and skiing at Canyon. We are also concerned about impact on our rental income. Although these are issues regardless of whether or not variance is granted, variances have potential of exacerbating these issues, and study of impact of variances on construction should be a precondition of review of variances.

4. Design


The development essentially turns its back to Rainbow Lane and Lakeview, and is oriented around an inner courtyard. These back and side elevations are essentially solid vertical planes with nominal punched window openings. It looks like a fortress from the street. The design seems to be better suited to an infill lot with neighbors on sides rather than a prominent corner lot. This seems to be a recycled design from another property (Gray Fox) that did not have the same issues as this property.


Conclusion

Maximizing contractor opportunities for profit and facilitating construction at the expense of existing neighbors properties should not be a reason to grant variances. It seems that alternate designs for this project that take into consideration the unique aspects of this property have not been fully considered.

Thank you for your consideration of our view point.

Sincerely,


Paul Franceschi & Allison Amon
Courchevel 10 and 32
273 Rainbow Lane
Mammoth Lakes, CA 93546


2388 Kenilworth Ave.
Los Angeles, CA 90039

Paul Franceschi • Allison Amon

1808A.6.3 Removal of expansive soil. Where expansive soil is removed in lieu of designing foundations in accordance with Section 1808A.6.1 or 1808A.6.2, the soil shall be removed to a depth sufficient to ensure a constant moisture content in the remaining soil. Fill material shall not contain expansive soils and shall comply with Section 1804A.5 or 1804A.6.

Exception: Expansive soil need not be removed to the depth of constant moisture, provided the confining pressure in the expansive soil created by the fill and supported structure exceeds the swell pressure.

1808A.6.4 Stabilization. Where the active zone of expansive soils is stabilized in lieu of designing foundations in accordance with Section 1808A.6.1 or 1808A.6.2, the soil shall be stabilized by chemical, dewatering, presaturation or equivalent techniques.

1808A.7 Foundations on or adjacent to slopes. The placement of buildings and structures on or adjacent to slopes steeper than one unit vertical in three units horizontal (33.3-percent slope) shall comply with Sections 1808A.7.1 through 1808A.7.5.

1808A.7.1 Building clearance from ascending slopes. In general, buildings below slopes shall be set a sufficient distance from the slope to provide protection from slope drainage, erosion and shallow failures. Except as provided in Section 1808A.7.5 and Figure 1808A.7.1, the following criteria will be assumed to provide this protection. Where the existing slope is steeper than one unit vertical in one unit horizontal (100-percent slope), the toe of the slope shall be assumed to be at the intersection of a horizontal plane drawn from the top of the foundation and a plane drawn tangent to the slope at an angle of 45 degrees (0.79 rad) to the horizontal. Where a retaining wall is constructed at the toe of the slope, the height of the slope shall be measured from the top of the wall to the top of the slope.

1808A.7.2 Foundation setback from descending slope surface. Foundations on or adjacent to slope surfaces shall be founded in firm material with an embedment and set back from the slope surface sufficient to provide vertical and lateral support for the foundation without detrimental

settlement. Except as provided for in Section 1808A.7.5 and Figure 1808A.7.1, the following setback is deemed adequate to meet the criteria. Where the slope is steeper than 1 unit vertical in 1 unit horizontal (100-percent slope), the required setback shall be measured from an imaginary plane 45 degrees (0.79 rad) to the horizontal, projected upward from the toe of the slope.

1808A.7.3 Pools. The setback between pools regulated by this code and slopes shall be equal to one-half the building footing setback distance required by this section. That portion of the pool wall within a horizontal distance of 7 feet (2134 mm) from the top of the slope shall be capable of supporting the water in the pool without soil support.

1808A.7.4 Foundation elevation. On graded sites, the top of any exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved drainage device a minimum of 12 inches (305 mm) plus 2 percent. Alternate elevations are permitted subject to the approval of the building official, provided it can be demonstrated that required drainage to the point of discharge and away from the structure is provided at all locations on the site.

1808A.7.5 Alternate setback and clearance. Alternate setbacks and clearances are permitted, subject to the approval of the building official. The building official shall be permitted to require a geotechnical investigation as set forth in Section 1803A.5.10.

1808A.8 Concrete foundations. The design, materials and construction of concrete foundations shall comply with Sections 1808A.8.1 through 1808A.8.6 and the provisions of Chapter 19A.

1808A.8.1 Concrete or grout strength and mix proportioning. Concrete or grout in foundations shall have a specified compressive strength (f'_c) not less than the largest applicable value indicated in Table 1808A.8.1.

Where concrete is placed through a funnel hopper at the top of a deep foundation element, the concrete mix shall be designed and proportioned so as to produce a cohesive workable mix having a slump of not less than 4 inches (102 mm) and not more than 8 inches (204 mm). Where

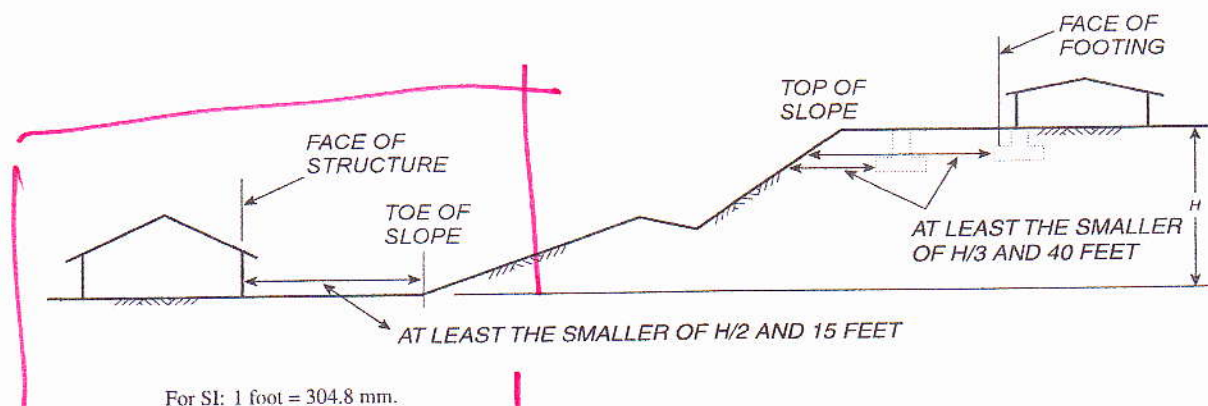


FIGURE 1808A.7.1
FOUNDATION CLEARANCES FROM SLOPES

MOUNTAINSIDE TOWNHOMES
BUILDING A
413 RAINBOW LANE
MAMMOTH LAKES, CA 93546

PROJECT ADDRESS:
MOUNTAINSIDE TOWNHOMES
BUILDING A
413 RAINBOW LANE
MAMMOTH LAKES, CA 93546
OWNER/DESIGNER:
JOHN SCOTER
MAMMOTH LAKES
760.834.0844
ARCHITECT:
PLAT CONSULTANTS
BUILDING CONCEPTS
1000 N. 1ST AVE. SUITE 200
MAMMOTH LAKES, CA 93546
EMAIL: INFO@BUILDINGCONCEPTS.COM

REVISIONS
1. 12/11/11
2. 02/28/12

A-3.5



1 SECTION B
SCALE: 1/4" = 1'-0"

Is this the
slope profile

Courchevel Owners' Association

P.O. Box 7276, Mammoth Lakes, CA 93546

April 20, 2015

Mammoth Lakes Planning and Economic Development Commission
P.O. Box 1609
Mammoth Lakes, CA 93546

Re: Mountainside Development Public Hearing

Dear Planning Commission:

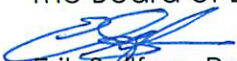
We, the board of directors of the Courchevel Owner's Association, have reviewed the proposed development and find concern with the following issues:

1. Height Variance – We feel that a variance that allows such tall buildings will negatively impact the homeowner's right to enjoyment of their existing homes. These new buildings will impede views and limit light. We object to this variance.
2. Setback variance at side of property bordering Courchevel – This is a corner property and should be treated as such. Due to the size and height of the proposed structures, the side yard setback between Courchevel and the proposed homes should be twenty (20') feet. We object to this variance and/or your determination that this not a corner lot.
3. Snow shedding - Our roof slopes are designed so that our snow loads shed onto our own property. Their roof slopes on the east side of their property are designed so that the snow loads will shed into the space between our properties and potentially on our property. The problem associated with this is magnified by the fact that the area will be in the shadow of their own buildings and will no longer get sufficient sun to help melt the snow. This means the snow pile will be higher and last longer and it directly impacts one of our property's snow storage areas.
4. Location of 8' x 12' garbage and recycling dumpsters along the property line without regard for any setbacks – We object to the proposed location of these items and find them to be a nuisance to our homeowners.

We request that you take into consideration the overall feel of space between all of the existing buildings currently in the Canyon Lodge area and make good long term decisions so that this development fits in with the existing homes.

Sincerely,

The Board of Directors of the Courchevel Owners' Association



Erik Selfors, President

Mike and Alison Daniel
273 Rainbow Lane, #43
Mammoth Lakes, CA 93546

April 20, 2015

Jen Daugherty Senior Planner
Mammoth Lakes Planning and Economic Development Commission
P.O. Box 1609
Mammoth Lakes, CA 93546

Re: Mountainside Development Public Hearing, April 29, 2015

Dear Planning Commission and Interested Parties:

Our names are Mike and Alison Daniel, owners of Courchevel unit #43, at 273 Rainbow Lane, Mammoth Lakes, CA. We wish to voice our concerns about the proposed Mountainside Development project.

We are particularly concerned with the request for variances.

1. Height Variance

The renderings do not adequately show the impact of the height variance. What is the justification for the variance? Height restrictions help to keep the entire area looking cleaner and more harmonious. We need to better understand why this developer is asking for such a significant variance.

2. Setback Variance

This is an extremely congested area. We feel that the setback variance is critical to keep it from becoming unmanageable. Large, towering buildings that border on a place where street parking is at a premium could cause people visiting Canyon Lodge to infringe on the Courchevel parking area, which is already a huge issue for us. What is the developer's justification to request the setback variance? Variances are not usually given on corner sites, which this project is clearly located on a corner.

In addition, because at Courchevel snow storage is a major issue, we are very concerned about where the Mountainside snow storage will be. 10 foot spaces between their buildings seems to be very inadequate for snow storage during a normal winter snowfall. Courchevel owns a separate empty lot on which snow is stored, and sometimes even that area is not adequate for our needs.

The project property is located on a prominent corner lot in a developed and densely used area near Canyon Lodge. It is the last large open lot in this area. During ski season there is high demand for parking on Rainbow Lane, and there is often heavy pedestrian and vehicle traffic on Rainbow Lane and Lakeview. We believe these circumstances need to be fully examined in the discussion of the project design and requests for variances.

Thank you for the opportunity to express our concerns.

Sincerely,



Mike Daniel



Alison Daniel

April 20, 2015

Jen Daugherty Senior Planner
Mammoth Lakes Planning and Economic Development Commission
P.O. Box 1609
Mammoth Lakes, CA 93546

Re: Mountainside Development Public Hearing
April 29, 2015

Dear Planning Commission and Interested Parties:

My name is Jennifer DeVore. My husband, Marc Feinstein, and I own #49 at Courchevel on Rainbow Lane. We would like to this opportunity to voice our concerns about the proposed Mountainside Development.

We have several concerns about the proposed Mountainside Project. The property is located on a prominent corner lot in a developed and densely used area near Canyon Lodge. It is the last large open lot in this area. During ski season there is high demand for parking on Rainbow Lane, and there is often heavy pedestrian and vehicle traffic on Rainbow Lane and Lakeview. I believe these are mitigating circumstances that need to be fully considered in the discussion of the project design and request for variances.

We are particularly concerned with the request for variances.

1. Height Variance

The renderings do not adequately show the impact of the height variance. What is the justification for the variance? Height restrictions help to keep the entire area looking cleaner and more harmonious. We need to better understand why this developer is asking for such a significant variance.

2. Setback Variance

This is an extremely congested area. We feel that the setback variance is critical to keep it from becoming unmanageable. Hulking shapes bordering on a place where parking is at a premium could cause people to infringe on the Courchevel parking area, which is already a huge issue for us. There does not appear to be underground nor garage parking in the plans. Is there truly enough parking within the Mountainside complex to justify the setback variance? In addition, because at Courchevel snow storage is a huge issue, we are very concerned about where the Mountainside snow storage will be.

Thank you for your consideration of our concerns.

Sincerely,

Jennifer DeVore & Marc Feinstein
Courchevel 49

Jennifer DeVore
607 North June Street
Los Angeles, California 90004
323.962.2499

Jen Daugherty

From: Gordon Leon <gordon.leon@gmail.com>
Sent: Monday, April 20, 2015 7:37 AM
To: Jen Daugherty
Subject: Re: 413 Rainbow Lane

Follow Up Flag: Follow up
Flag Status: Completed

To: The City of Mammoth Lakes
From: Gordon Leon

Subject: Condominium Project at 413 Rainbow Lane

Chairman and Commissioners, I am an owner of Courchevel #45 and a planning commissioner in Rancho Palos Verdes. I send you this letter as an interested party and not a representative of RPV.

I do not support the variances requested for the condominiums at 413 Rainbow Lane. There is nothing unique about this property as compared to other mountainside lots in Mammoth. Both height and setback requirements help to define the character of our community and I don't think that the required findings can be made without compromising the integrity of the planning process.

I think that the developer has created an attractive design and recognize the owners right to build on the property. However, the current configuration creates a large flat footprint which is not compatible with hillside development. Further, there does not appear to be enough space reserved for snow storage based on our experience with quantity of snow at that location.

Please reject the variance request without prejudiced.

Gordon Leon
Gordon.Leon@gmail.com
310-463-9244

On Fri, Apr 17, 2015 at 8:04 AM, Jen Daugherty <jdaugherty@townofmammothlakes.ca.gov> wrote:

Hi Gordon,

Yes, I will. Also, please feel free to check out the project information available on the Town's [website](#).

Jen Daugherty

Senior Planner

Town of Mammoth Lakes

April 20, 2015

Jen Daugherty
Senior Planner

Mammoth Lakes Planning and Economic Development Commission
P.O. Box 1609
Mammoth Lakes, CA 93546

Re: Mountainside Development Public Hearing - April 29, 2015

Dear Planning Commission and Interested Parties:

Our names are Douglas and Nora MacLellan, and we would like to take this opportunity to voice our concerns about the proposed Mountainside Development. We are owners of Unit #59 at Courchevel. We purchased our unit in 1994 as a second home; we do not rent our unit. We regret that we have other commitments and cannot attend this meeting in person to voice our concerns. We hope that this letter will suffice to convey our concerns with the proposed development.

We have several issues with the proposed Mountainside Project. The property is located on a prominent corner lot in a developed and densely utilized area near Canyon Lodge. During ski season there is high demand for parking on Rainbow Lane, and there is often heavy pedestrian and vehicle traffic on Rainbow Lane and Lakeview Blvd. I believe these are mitigating circumstances that need to be fully considered in the discussion of the project design and request for variances.

The following is a summary of my issues with the project. We do not believe that these issues have been adequately addressed in the developer's submittal package.

1. Height Variance

The tallest buildings are proposed along Rainbow Lane and essentially create a walled facade along the street. There is nothing like that on Rainbow Lane presently on either side of the street. We do not think the building heights at Snowbird or 1849 are comparable to this project.

Both those developments do not compromise their neighbors view and do not - in our minds - provide a precedent for Mountainside. The Snowbird design provides a variety of roof profiles that break up the height, and design features that break the vertical wall plane. Snowbird also has a much shorter elevation along Rainbow Lane than Mountainside. 1849 also has façade features that break up the height and verticality of wall planes. It is also situated in a different area and doesn't impact its neighbors in the way that Mountainside could.

The tallest Mountainside buildings are proposed on Rainbow Lane where the developer is asking for reduced setback. These will appear as large hulking shapes on the street, and there is nothing like this on either side of Rainbow Lane.

It seems to me that along with renderings, the developer's submittal package needs to include studies to show these buildings will not block sunlight and views for neighboring Courchevel units and will not cast a permanent shadow along Rainbow Lane. A comparison should be done to show what impacts are if project is built to code required height and setback versus development with variances.

Note that the shadows from this complex will be such that it will limit the sun hitting the roofs of a number of Units at Courchevel and reduce the natural melting and shedding of the snow. A large buildup of ice could occur that once the roof shed could cause a huge safety hazard at Courchevel simply caused by the increased construction height of new buildings.

2. Setback Variance

The shift to Rainbow and reduction in setback is to minimize retaining wall height at south side of the development (against hill / 1849 side). Reducing the setback requirement will shift the buildings closer to the street and would reduce the onsite areas for materials storage, staging, employee parking, etc. These should be huge considerations in this project. We do not want contractors blocking Rainbow Lane or using Rainbow Lane for worker parking or in any way compromising visitor parking / experience at Canyon. This is already a very congested area. Review of a construction plan prior to review of this variance should be a priority.

The 25 foot setback allows for snow storage by the city when they are clearing the streets after snowfall. Reducing the setback reduces the amount of snow that could be stored.

Rainbow Lane is a high traffic and pedestrian area during the ski season. With the building so close to Rainbow Lane it would cast a large shadow and in all likelihood would lead to more ice on the road since the snow will not melt as it usually does when the sun hits it. We have been witness to many accidents on Rainbow Lane due to ice buildup – let's not make it worse. This could create a major safety issue.

3. Construction Impacts and Schedule

We are concerned about construction schedule. If excavations, foundations, framing etc are planned for the summer season it will have a huge impact on our enjoyment of our unit. We spend time in Mammoth all year round. What will be done to reduce dust, fine particulate matter, control construction noise etc? None of our units have central air-conditioning and therefore construction would impact so many owners at Courchevel, 1849 and Snowbird. When construction is occurring during the busy ski season this will have a huge impact on not only our unit but the other units at Courchevel, and skiing at Canyon. We are also concerned also about impact the rental income of our fellow owners. This impact would be equally felt by the owners at Snowbird. Although these are issues regardless of whether or not variance is granted, variances have potential of exacerbating these issues, and study of impact of variances on construction should be a precondition of review of variances.

4. Design

The development essentially turns its back to Rainbow Lane and Lakeview and looks like a fortress from the street - another reason to not allow the variance in the set back.

5. Snow – Shedding and Removal

Due to the angle of the roofs there is a likely chance that snow would shed from the development onto Courchevel's property and might even hit a couple of the buildings. What is planned to prevent that? What is their snow removal plan? The elevation at Canyon Lodge is approximately 8,500 feet. The snow (when it returns) is highly greater than it is at the village. Their plan shows very minimal areas for snow storage.

Maximizing contractor opportunities for profit and facilitating construction at the expense of existing neighbors properties should not be a reason to grant variances. It seems that alternate designs for this project that take into consideration the unique aspects of this property have not been fully considered.

Thank you for your consideration of my view point.

Sincerely,

Nora and Douglas MacLellan

Courchevel 59
273 Rainbow Lane
Mammoth Lakes, CA 93546

Mailing address:
8324 Delgany Avenue
Playa del Rey, CA 90293

Mammoth Lakes Planning and Economic Development Commission
Attn: Ms. Jen Daugherty, Senior Planner
P.O. Box 1609
Mammoth Lakes, CA 93546

April 20, 2015

RE: Mountainside Development Public Hearing – April 29, 2015

Dear Planning and Economic Development Commission,

We are writing to express our strong concerns and objections over the proposed design and variances for the Mountainside development at 413 Rainbow Lane.

We own Courchevel Unit 54, one of the units immediately adjacent to the proposed development site. We have never used our condo as a rental unit. Instead, my husband, who has been a seasonal part-time ski instructor for Mammoth Mountain since 2006, lives there while he works. In addition, as loyal supporters of Mammoth Mountain since 1998, our condo serves as our family's second winter home. It is also where we go throughout the year to escape the hectic city, the crowds, and to be able to look out a long distance before seeing the horizon.

When we were in escrow to purchase our unit roughly 10 years ago, I contacted the city building department to better understand what could be built on the adjacent property. I was told about the building codes, which included density, front and side setback and height restrictions. In addition, not knowing whether a hotel, or condos, or individual homes would be built on the site, I specifically asked what would happen if the new development was going to be a large complex and locate its trash bins, or utility areas, or delivery and receiving areas directly on the other side of the property line. I was told that the town of Mammoth Lakes always made every effort to protect existing homeowners and insure that future developments do not negatively impact them. We became comfortable with the answers we received and moved forward on our purchase.

Given this background, we were surprised and troubled when we reviewed the developer's plans and the staff report and learned about the variance requests. We don't think the development should be exempt from height and setback codes (both in front of the property and especially along our shared property line), and we are equally disturbed by the proposed location of the garbage dumpsters. **We strongly urge the planning commission to seek a design that better protects existing homeowners, the neighboring communities and the look and feel of our beautiful town of Mammoth Lakes.** Specifically, we are concerned with the following:

1) Setback variance at side of property bordering Courchevel

When we bought our unit and spoke to the planning department, we were under the impression that the lot to the west of Courchevel was a corner lot. Anyone looking at it would conclude it is a corner, and town plot maps seemed to clearly indicate that it was. It is beyond us how the developers are trying to claim that their prominent corner lot is not a

corner lot. According to the staff report, if the property is deemed to be a corner property, then side yard setbacks need to be 20 feet. If it is deemed not to be a corner lot, then side yard setbacks are 10 feet.

We were told that the town has decided to allow the developer to deem the lot as a non-corner lot because the Forest Service owns the road to the west of the property and because you could argue that it is not a road but a parking lot. But any rational person is going to look at the road and conclude that it is a road, with parking along the side of it, and look at the property and conclude that it is on a corner. It seems to us that this issue needs to be re-opened for discussion and consideration.

If it looks like a road; if it is used as a road; it is called Warming Hut 2 **Road**; if the developer's own tract map refers to it as an extension of Lakeview Blvd; if it connects Davison Road with Lakeview Blvd and Rainbow Lane; if neither Davison Road or Lakeview Blvd nor Rainbow Lane indicate that they are not through streets or that they dead end onto private property where Warming Hut 2 Road (aka Lakeview Blvd) is; if there is nothing when you enter it to suggest you are leaving a road and entering a parking lot; if town snowplows clean it; if town parking signs are along it; and if it gets a sufficient amount of traffic traveling it, then it is a road!

We urge the planning commission to require that the development provide a 20 foot setback along the east property line. Doing so would make a significant positive difference for individual Courchevel homeowners and the community as a whole.

2) Height variance

We are concerned that there will be an extra tall structure, taller than what code allows, built right next to our existing property. The proposal would create a massive hulking structure relative to Courchevel and other communities in the area. Height limits serve an important purpose to protect views, allow for sunlight, and prevent the vertical overbuilding of properties.

The staff report indicates that they are using the heights of 1849 and Snowbird as precedents. However, those two complexes are already there and there is nothing that can be done. Second, their heights don't have the same negative impact to neighboring communities that the Mountainside proposal has.

What's more, it is unclear how they are going to be grading the property and how massive their structures will ultimately be relative to our property. The staff report says that the units in the back are only seeking a 10% variance. But Unit A elevations show a 42'-6" tall structure. We could understand having to gaze upon a forty-two and a half foot structure ten feet from our property if Mammoth Lakes were a bustling metropolis. But it's not. It's a quaint resort town! Mammoth's small town look and feel is critical to our appeal as a ski resort and helps differentiate us from key competitors such as Whistler and South Lake Tahoe. Our community struggles enough as it is given recent lack of snow, let's not make it worse by killing off the small town charm.

In addition, we were told that the height variance would enable the Mountainside development to have a steeply sloped roof so that it would look better. If aesthetics matter, shouldn't they matter for Courchevel residents too? What about the aesthetics of a huge structure ten feet from the property line? What about the aesthetics of ten foot tall retaining wall that we will now be confronted with at the property line? What on earth (besides an 8' by 12' dumpster) could be more aesthetically unpleasant?! Mountainside could still keep the steeply sloped roof, but build two story or split level buildings and conform to code.

We understand that Mammoth does not protect homeowner views. We would not raise an objection to our view being blocked by a building being constructed to code. But we should be able to expect protection within the code. The height variance would deny us that protection. And the height variance in concert with the setback variance from our property line simply compounds the negative impact to Courchevel homeowners and the community as a whole.

3) Location of garbage and recycling dumpsters

The development plans to locate 8' x 12' dumpsters along the Courchevel property line without regard for any setbacks and they intend to "screen" it from view by an inadequately short 4' high split concrete block (meaning ugly) wall. We find it troubling that this was a specific issue that we had asked about prior to closing escrow on our unit. And we believed the assurances we received from the town. The dumpster will be much closer to Courchevel than to their own buildings! We are going to have to deal with the eyesore (dumpsters are taller than four feet and our windows are going to be looking down on it), the smell and the sound. It is going to be in plain sight of our balcony, living room and dining room windows. It looks to be a mere 12 feet from Courchevel Unit 60's bedroom window. Six other units in our complex will also be disturbed by the location either from their balconies and living room windows to the front or their bedroom windows to the rear of their units.

We will be unable to plant landscaping on our end to screen the dumpster as that is adjacent to one of our snow storage areas. As we push snow to the area, any trees and bushes will be destroyed. Not to mention, landscaping can't address the smell or the sounds.

We urge the planning commission to require the dumpsters to be relocated to the other side of the development. On the west side of the development there are no neighboring homeowners to disturb, it would be equally convenient for Mountainside owners, trash collection services would have the same easy access, it would be easier to landscape around it as a screen, and it would not be adjacent to a neighboring community's snow storage area.

4) Snow shedding

Courchevel's roof is designed so that snow loads slide off the roof and shed onto our own property. The Mountainside roof on the east side of their property, however, will aim directly at Courchevel. The snow loads will shed into the space between our properties and potentially onto our property. While in the past that area would benefit from afternoon sunlight to help melt the snow, Mountainside buildings will now cast a shadow over the area. This means the snow pile will be higher and last longer and it directly impacts one of our community's snow storage areas.

A larger 20' setback from the Courchevel property line would help to mitigate this issue.

5) Setback variance at front of property along Rainbow Lane

The Mountainside developers are proposing to create a very metropolitan, city-like, over-built look and feel to the area by situating extra tall buildings extra close to the road. In addition, that portion of Rainbow Lane currently has head in, perpendicular parking, providing additional width to the street. The plan proposes to eliminate the parking. So now there will be extra tall buildings, extra close to the road, and the road will be extra narrow. Moreover, the combination of the building height and shallow setback mean that the upper part of Rainbow Lane will be cast in shadow. The front units of Snowbird will be quite impacted. Snowbird may need to rename itself Nightingale due to the lack of sunlight. This will impact snow and ice management, potentially making the road slippery and unsafe for the auto and pedestrian traffic that uses that road during ski season. The setback variance to the front of the property would not be so bad if not for the height variance. The combination of the two compounds the issues and is rather concerning.

In summary

It appears that the Mountainside proposal aims to squeeze every last ounce of dollar out of the development to the detriment of existing homeowners, condo communities and the town. We urge the planning commission to let the building codes do their job, stay true to what we were told prior to closing escrow on our unit, and protect the interests of existing homeowners rather than sacrifice those interests for the sake of a new development. **Please say no to the height and setback variance requests. Please call the corner lot what it truly is – a corner lot. And please require the dumpster to be relocated to a more suitable spot away from existing neighbors.**

Thank you,

The block contains two handwritten signatures in black ink. The signature on the left is 'Sloane U. Malecki' and the signature on the right is 'Robert Malecki'.

Sloane and Robert Malecki

April 19, 2015

Mammoth Lakes Planning and Economic Development Commission
P.O. Box 1609
Mammoth Lakes, CA 93546

Re: Mountainside Development Public Hearing

Dear Planning Commission:

My wife and I own Unit 60 in the Courchevel complex. Our unit is on the west end of the building next to the proposed Mountainside Development, so our unit would see the most impact from this development.

When we bought the unit, we realized someday the parcel next to our unit would likely be developed and we would have no problem with that. With one of the best locations in all of Mammoth, right across from Canyon Lodge, we always figured it would be an upscale and tastefully designed project, maintaining the natural slope of the land and retaining many native trees while respecting the neighboring properties.

Instead what is proposed is a bunch of tall boxes facing each other that will tower over the neighboring complexes while literally showing their massive backside to the street.

The Mountainside property slopes uphill quickly from the east property line. We cannot tell from the elevations how the land will be graded. Will the east end of the site be raised to level the building site?

To make matters worse, the developers are requesting variances from setbacks and building heights that will increase the impact on the neighboring properties and neighborhood. The tallest of the four building designs is the C design. These are the buildings that would be built along Rainbow Lane and right next to our unit. The staff report says if the project is considered a corner lot, the required east setback would be 20 feet not the 10 feet proposed, requiring an additional variance. The project is bordered on the west side by Warming Hut 2 Road and Rainbow Lane on the north side. How anyone could argue that the lot is not a corner lot is beyond comprehension.

In other words, the developer wants to put buildings that are taller than code, closer to the street than code allows, as well as closer to other buildings than code allows. Why bother having codes if they will not be enforced?

The Courchevel driveway area and Rainbow Lane are already notoriously hazardous in the morning and afternoon because of ice buildup. The Mountainside project, as designed, will definitely make this hazard worse.

Our other concern is that the plan calls for putting the trash on the east property line in the setback area right next to our master bedroom window. In addition to ruining the view, we are concerned about the smell and noise that comes with trash storage and disposal.

There is plenty of unused land in the back of the project, so it appears that the only reason they want the setback variances is to save money due to less grading needed if the variances are granted. I don't feel developer profit is a valid reason to grant a variance especially when it will harm others.

Therefore, we are urging you to decline the requested variances and move the trash area to the other side of the project.

Sincerely,

Joan and Ronald Plander
1114 El Monte Drive
Thousand Oaks, CA 91362
805-551-3077
rplander@gmail.com

Jen Daugherty

From: James A Maxwell <maxwell.jim@comcast.net>
Sent: Wednesday, April 22, 2015 3:40 PM
To: Jen Daugherty
Subject: 413 Rainbow Lane (APN: 031-190-002-000)

Jen,
I own Courchevel #40, and received the NOTICE OF PUBLIC HEARING for development of 413 Rainbow Lane. I am in Seattle and will not be able to attend, so please accept this email as my testimony.

I am strongly opposed to the variance requested to increase the Building Height. All structures should be required to meet the building code height limit of 35 feet.

Development of this property needs to ensure the long term retention and health of at least twenty percent of the large trees on it.

Thank you,

Jim Maxwell
cell 206 407-4916
maxwell.jim@comcast.net

3205 42nd Ave W
Seattle, WA 98199-2434

Elaine and Paul Berg

April 23, 2015

4914 Andasol Ave. Encino, California 91316 818 981 3625

Snowbird Condominiums 414 Rainbow Lane Mammoth lakes, CA 93546

Mammoth Lakes Planning and Economic development Commission

Jen Daugherty Senior Planner

Town of Mammoth Lakes

P. O. Box 1609

Mammoth Lakes, CA 93546

We own a condominium located at 414 Rainbow lane. Snowbird Condominiums. We were informed that a development will be constructed at 413 Rainbow Lane, which is across the street. It was brought up at our Board meeting, and several members were opposed.

The change in setback, height, and narrowing the street creates a big impact on us. We were provided no elevation drawings. I am concerned that the appearance of the building which is directly across from us is detrimental by the proposed changes or variances. The change of narrowing of the street creates access issues. The **setback** to vary from code by **9 foot** (from 25 foot to 16 foot) creates a wall effect . The appearance from the front of our building could be unattractive, and impacts our building.

Please note our objection to the proposed changes. The Setback only benefits the developer by creating less grading costs. The narrowing of Rainbow lane , also creates less setback.

Yours truly,

Elaine and Paul Berg

April 23, 2015

Mammoth Lakes Planning and Economic Development Commission
Attn: Ms. Jen Daugherty, Senior Planner
PO Box 1609
Mammoth Lakes, Ca

Re: Mountainside Development Public Hearing – April 29, 2015

Dear Jen

I am an owner in the Courchevel Complex and past President of the HOA. I have reviewed documents on your website for the Mountainside Project and have concern over the setback and height variances that are being requested. Usually height limitations and setbacks are established for a reason and people purchase property with the understanding of those limitations. Variances should be allowed only for unusual cases when there is no other reasonable solution to the setback or height requirements, not for convenience or monetary considerations of the builder.

Specifically:

1. A variance for the setback from the east property line between Mountainside and Courchevel has requested a reduction from 20 ft to 10 ft. Additionally Mountainside is requesting a 4 ft. variance in the height of the units. This would have a negative effect on our complex because:
 - a. With the 10 foot setback, snow shedding or roof shoveling would cause snow from the Mountainside project to fall on the Courchevel property
 - b. the additional height will would create a large shadow and affect the sun lighting on Courchevel units adjacent to our project as well as the effect of the additional height on the Snowbird complex

2. The variance for setback from Rainbow Lane to reduce the setback from 25 feet to 16 ft. is not desirable for many reasons.
 - a. Head-in parking on Rainbow Lane is completely eliminated on that side of the street
 - b. the tall buildings next to the street will create a look that is completely different and looming building effect than the surrounding projects i.e. Snowbird, Courchevel and Chamonix.
 - c. the tall buildings will create a wall, high rise, or compound appearance along Rainbow Lane unlike the existing projects which have proper setback.

To provide a feel for the effect of the project with its variances in effect, (it is common and insightful) I would propose for the builder to erect poles along Rainbow Lane and along the property line between Mountainside and Courchevel to provide a feeling of the height and location of the buildings in the project. That would provide owners at Courchevel and Snowbird a feel for the size, height and scope of the project, which the present drawings and simulated photos don't.

Sincerely

Larry Bass